

WHITNEY'S ARGUMENT

In Sustaining the Income Tax

BEFORE THE SUPREME COURT

Mr. Edmunds Follows Against the Tax, With a Plea for Equality in Taxation.

WASHINGTON, March 11.—Assistant Attorney General Whitney resumed his argument in sustaining the income tax law before the supreme court today. Attorney General Olney, ex-Senator Edmunds and many other distinguished counsel in the case occupied seats at the desk reserved for attorneys. The court room was crowded. Mr. McMillin, Mr. Springer and several other members of congress who had taken part in the enactment of the income tax law were among those present. Mr. Whitney addressed himself to the question of uniformity in taxation, in answer to the charges that the income tax violated the principle of uniformity. He contended that the limit of \$4000 fixed by the law was not arbitrary. If a railway company had sought to amend the law by including those not previously exempted by the \$4000 limit, this amendment would not doubt be resisted against it, as it would affect prior decisions, insurance and other cases showing that the interpretation of this court on classification would not apply to the income tax.

Concerning the exemptions allowed to certain corporations, the assistant attorney general said it was most surprising that this was not up as a ground for invalidating the tax. He read from various judicial decisions showing that corporations were exempted in the cases of art societies and many other corporations. The court had sustained the tax of manufacturing corporations in the District of Columbia, building and loan associations and savings companies were frequently exempted by law and given special consideration. During the war the lawmakers given exemption the mutual insurance companies from the operations of the government.

Mr. Whitney said that the supreme court had already overruled the contention that the taxation of land value and rents as the income tax invalid. The state taxes were against the land, and not against the individuals, but the income tax was not against the land, but merely against the total income of the individuals. As this income came in part from the land, it was merely an incident.

The income tax is in no sense a land tax. It is not on the gross income from land and other sources but on net income. Mr. Whitney contended that the federal government cannot tax municipal and local securities held by individuals, as for instance, bonds issued by New York city. He said it had been decided in the case of *London & Lancashire* that a state could tax bonds of the city or state of New York. If the state could exercise this power, why could not the federal government tax the same securities?

Mr. Whitney concluded at 1:30, and was followed by Mr. Edmunds, counsel against the tax. He spoke quietly and in a conversational tone, much as he did when a leading figure of the bar in the case of the constitutionality of the income tax. He stated the content of his client was against the invasion of his rights and an inspection of his private books and papers. If there was a constitutional provision protecting the constitution, it was the rock upon which the constitution against this tax was based. Mr. Edmunds read from the constitution as to the protection of private rights.

These provisions, he said, were true and valid. It is not in these days with such legislation before us to recall these constitutional provisions against an evasion of private rights. In a question of this gravity, he would feel disposed to ask the members of the court to precedents and follow them in this matter, but to go back and rule upon the entire subject so vital to maintaining private rights.

The worst tyranny of history was that which came in the guise of a relief. The first step of the action of congress in endeavoring to take away from the courts the right to appeal for protection as was the case in the income tax law. He did not think the time had come when there should be no longer an appeal to the courts from the acts of congress.

It was beyond the jurisdiction of congress to pass an act that would strip the courts of their rights, and this was just as true as to the rights of the citizen as to those of the courts. Speaking of the income tax law, he referred to the fact that the taxpayer was required to make his returns to deputy collectors, as a legitimate officer under the constitution. He did not mean to dwell on that, but merely to refer to it in passing as one of the points of view which blossomed in the parlors of the last congress. He criticized many other points of the law providing for the collection of the tax, but he said he would not dwell on them for or against the courts, but left to the revenue officers the adjustment; who, he said, were not only the final judges, but the inquisitors as well.

It is true, he said, that the returns are to be regarded as confidential, but how are we to know they will always be treated so? Is it not possible they may be handled for private use, the confidence of the United States senate? Mr. Edmunds then reviewed the case heretofore decided, which has been referred to in the previous argument, and discussed the points involved at length. He was referring to the *Hilton* case, involving the tax on carriages, when Chief Justice Fuller called his attention to the fact that *Hilton* had an unusual number of carriages, 120 as he remembered. "Unusual in the number, yes," Mr. Edmunds asserted, "but he possesses them as many persons possess virtue and glory. He asked the court to overrule its former decision on the income tax, as given in the *Springer* case. He argued that past congress had overstepped the limits of the constitution in imposing this tax, because, he said, it was short of money. He argued that under the law 95 percent of the tax would be paid by 2 percent of the taxable voters.

"It becomes," said Mr. Edmunds, "an interesting subject of speculation as to how long the government can hold under a system which allows those who pay nothing to tax their fellow citizens. One evil step will lead to another, and we will follow another, until by and by we will have revolution, then anarchy, then a tyrant to rule."

Justice Harlan asked Mr. Edmunds if he had formulated a definition of the difference between a direct and indirect tax, and he replied he had. He stated that he proceeded to give it, saying that a tax was a tax on any kind of property and upon persons not in respect of prop-

VALLEY RAILROAD BILL

Passed by the Assembly, Sixty to Nine.

FIGHT EXPECTED IN THE SENATE

Classification of Counties—Fifty-Seven Classes, Each County Forming a Class.

SACRAMENTO, March 11.—The assembly took up the bill granting the San Joaquin railroad 80 acres of San Francisco water front for terminal purposes. Roid of Trinity offered a substitute for Powers' amendment adopted Friday. The substitute makes the proposed grant of water front more specific, describing the fifty acres adjoining China basin and specifying that the railroad company must have 200 miles of road completed in three years or forfeit the grant. There was a debate of over an hour before a vote was taken, and the bill passed by a vote of sixty to nine. Powers and McMillin of San Francisco, Phelps of San Mateo, Wayne of Alameda and Gledhill of Humboldt argued for the bill and for giving the proposed competing road every facility, while Bruns of Sacramento, Bull of Los Angeles, McKelvey of Orange and Roid of Trinity opposed the bill as presented with the Powers amendment.

The nine voting against the passage of the bill were Roid of Trinity, Phelps of Los Angeles, Huber of Los Angeles, Hatfield and Druess of Sacramento, Ottor of Yuba, Bull of Los Angeles and Barker of Santa Barbara, Populist. The bill goes to the senate tomorrow, where a battle is expected.

Among the bills passed was that abolishing the office of attorney of the state harbor commissioners of San Francisco, also adding new sections to the code on civil procedure relative to attachments and foreclosures of mortgages; a ship prize committee's bill providing for the consolidation of prisons and removal of the state printing office to Polson, defeated last week, was reconsidered, and again voted upon.

At the meeting session bills were passed compelling all corporations to pay employees monthly and prohibiting assignments of wages for the purpose of evading the provisions of this act; repealing the act of 1892 relating to street railways and providing that one fare shall not be charged for a longer distance than three miles; authorizing the removal of the home for adult blind from Oakland to the city of San Francisco and sale of the Oakland property.

Bills paying the claim of Jerome Dancy for \$1052; also claims of H. P. Dyer and others for \$264, costs in the case of the *Boyle* against the American Ship Supply Company, were referred passage.

IN THE SENATE. SACRAMENTO, March 11.—Upon resuming this morning the senate at once took up the county government bill.

On motion of Wilkinson of San Diego the judiciary committee's statement of population of the various counties based on calculation from the gubernatorial vote was stricken out and arbitrary figures of population inserted as given by each senator. This was done to meet Earl's objection urged Saturday evening to the mode of classification by population. Under the adopted classification there are fifty-seven classes, each county forming a class, San Francisco first, Los Angeles second, Alameda third, Santa Clara fourth, Sacramento fifth, Sonoma sixth, San Joaquin seventh, San Diego eighth, Fresno ninth, Kern tenth and so on to Alpine, fifty-seventh.

Hart of Sacramento caused a debate by a proposed amendment, which was lost, to have certain property collector bills to fix compensation and to reduce the number of employees paid out of the state appropriations, including those of all the state institutions, caused a lively debate.

Ed of Alameda and Hart of Sacramento opposed the bill, but Burke of Santa Cruz, Wilkinson of San Diego, Langford of San Joaquin, Orr of Ventura and Seymour of San Bernardino favored the idea as a desirable measure of economy. Hart said the board of examiners had no more business to run the state university than a blacksmith to run a jewelry store. The bill passed by a vote of 12 to 14. Earl gave notice of a reconsideration.

At the evening session bills were passed prescribing taxation for telephone companies; appropriating \$5500 for the erection and operation of rock-etching plants at the state prison to prepare material for highways; providing for the control of the House of the Judiciary at San Francisco; amending the law relating to the conduct of the law relative to a board of building and loan society commissioners; amending the law relative to the government of Sutter county levee district No. 2; amending the act of 1887 relative to the adulteration of wine; amending election laws and providing for a new board of non-partisan election commissioners in San Francisco; reducing the number of superior judges in Tulare county from two to one; providing for franchisees for elevated and underground railroads.

A new bill was introduced by Andrews of Los Angeles reducing the appropriation for the Whittier school from \$215,000 to \$200,000.

A bill paying the widow of A. W. McGinnis, who was killed while pursuing Evans and Sontag, \$7500 was made a case of urgency and passed by third reading.

OLIN WELTHORNE QUALIFIES. LOS ANGELES, March 11.—Olin Welborne qualified as United States district judge for the southern district of California this morning.

LIABILITY OF A CARRIER

For Loss by Delay in the Shipment of Merchandise.

WASHINGTON, March 11.—A decision was rendered in the United States supreme court today in the case of James Henderson et al. vs. owners of the steamer *Caledonia*. Mayor Goldsmith, involving the liability of a carrier for loss by delay in the shipment of merchandise. The case was argued by the owners of the vessel from the decision of the circuit court for the Massachusetts district, which held them responsible for loss caused by delay in the shipment of cattle. The defense in the original case was that the delay was occasioned by the breaking of a cable vessel shaft. The court held, however, that the exception was not sufficiently specific, and sustained the decision of the circuit court. "A vessel," said Justice Fuller, in delivering the opinion, "must be really seaworthy; it was not sufficient that its owners should think it was seaworthy." Justices Brown, Harlan and Brewer dissented.

The court announced that the interstate commerce cases, one of which involves the long and short haul, and another of which is known as the "socialist" case, had been restored to the docket for reargument at the next term. The court also announced a recess until Monday, the 26th instant, after disposing of the cases now on hearing.

A Murderer Convicted. SAN FRANCISCO, March 11.—Amelio Garcia was today convicted of murder in the first degree by a jury for killing a Frenchman named Colton about three months ago.

POINTS AGREED UPON IN THE CHINESE PEACE CONFERENCE.

Another Battle in Which the Chinese Lose 400 Men and the Japs 10.

LOS ANGELES, March 11.—A dispatch to the Times from Peking says the Chinese government through the United States ministers, Messrs. Doherty and Dun, have already agreed upon the points in the peace conference regarding the independence of Korea, the cessation of territorial and money indemnity, the amount to be agreed on by the envoys. It is said the agreement will be signed at an early date.

LONDON, March 11.—A Shanghai dispatch to the Times says a Chinese force of 7000 men, supported by 30 guns, was attacked by the Japanese at Don Shitatan Saturday last.

General Kuretsu commanded the center division of the Japanese army, which fought bravely. General Oka was in command of the right wing of the troops. The left wing was composed of Yamaguchi soldiers from Kiping. In two hours after the attack the Chinese fled towards Kiping. The Japanese lost 1000 men. The Japanese loss was the killed. After burning Don Shitatan for strategic reasons, the Japanese recrossed the Yalu.

HAS ACTED HONORABLY.

Porter Ashe's Accounts Approved by Judge Slack.

SAN FRANCISCO, March 11.—R. Porter Ashe is no longer the guardian of Sarah Althea Terry, who now languishes in the Stockton asylum for the insane, her mind unhinged by trying experiments. After examining the books of the estate, the court issued an order relieving Mr. Ashe from further responsibility in the case. The accounts showed that Ashe had expended almost \$400 of his own money for the maintenance of his charge. Trouble has been brewing for some time between Ashe and Tom Williams, Mrs. Terry's present guardian, over the affairs of the estate. Williams charges that he had misused the credit money and done other things in a slaky manner, but the accounts submitted and which were approved by Judge Slack, show that he has acted honorably and well.

A Dog to the Rescue.

SANTA ROSA, March 11.—Quite an excitement was caused by the arrest of Edward Steiger, an old German living between here and Sonoma, who is charged with having shot and killed a named Smith. Mrs. Smith is in a delicate condition, and she claims that Steiger came to the farm while her husband was absent and caught her by the throat, threw her down, bruised her up badly and put out a lot of her hair. She says that there is an old well near the house, and that Steiger got hold of her and tried to carry her to it and throw her in.

William Smith, the husband of the woman, who is struggling with the frame of the old man, Steiger, and by biting him furiously compelled him to leave her and the place. Steiger claims she was the aggressor.

The Markets.

SAN FRANCISCO, March 11.—Wheat: Strong; December, 90c; May, 92 1/2c. Barley—Quiet; May, 77c. Bran—\$14 per ton.

New Suits.

The following new cases were yesterday filed in the county clerk's office: The Farmers' Bank of Fresno vs. George O. Lillburn, et al.; foreclosure, the amount, \$1170.44, secured by mortgage on lots 17 to 23, block 15, Fowler tract. G. Tupper is attorney for the plaintiff.

The Farmers' Bank of Fresno vs. William Adams et al.; foreclosure, the amount being \$342.24, secured by mortgage on lots 10 to 16, block 3, Fowler tract. G. Tupper is attorney for the plaintiff.

Slipped Her Face.

Monie Jones, colored, was yesterday arrested on complaint of Sallie Winters, also colored, on a charge of slipping her face. The story back of the trouble does not promise to be very sensational, but the report is that the lady in the case was out of humor because Mr. Jones no longer showed her the attention she was wont to show, and that when she met him she said something which provoked him to slap her.

Highest of all in Leavening Power.—Latest U.S. Gov't Report

Royal Baking Powder

ABSOLUTELY PURE

BROKE UP IN A RIOT

A Wild Scene in the Indiana Legislature.

FRIENDS BECAME ENEMIES

And Make Every Effort to Injure Each Other—A Veto Message Delayed.

INDIANAPOLIS, March 11.—The legislature broke up in a wild riot tonight, in which almost every member participated. Revolvers were drawn and many persons were seriously injured, Adams of Parke county, perhaps fatally. For fully twenty minutes the state house was filled with a howling, surging mob. Men who had been friends and sat side by side during the session became deadly enemies and made every effort to injure each other. Myron King, Governor Matthews' private secretary, was locked in the elevator and a big burly man guarded the door and refused to allow him to leave. The police finally drove the mob away and the secretary was released. When he arrived at the door of the house at 11:55 he found it locked. He had an important message from the governor and a great deal depended upon its delivery to the speaker of the house before 12 o'clock. He pounded on the door, but was denied admission. He cried that the door was locked, and requested that it be opened, as he had a message from the governor. His voice was heard by the mob, and they ran to his assistance. An attempt was made to force open the doors, but the crowd of Republicans, who were bent upon the governor's secretary being kept out, were too strong for the Democrats, who were bent upon the secretary's being let in. The heavy oak doors were unable to stand the pressure brought to bear upon them, and they were forced open. King, who was in front, was forced right into the crowd of Republicans who were bent on keeping him from reaching the speaker.

"Kill him," cried a hundred voices. The woman who was in the gallery nearest the speaker's desk was injured. In a moment everything was confusion, and friends and enemies alike were fighting. The sole aim of the Democrats was to get King through the crowd to the speaker's desk with the governor's veto, and the Republicans determined to hold him back until 12 o'clock, at which time the house would adjourn sine die.

At length the Democrats gained ground. Many persons were knocked down and trampled upon, revolvers were flashed in the air, but as fast as they were drawn the men holding them were knocked down. The heavy chairs were torn from the floor by the mob and the desks were broken to pieces. Doors leading to other rooms were shattered by persons in the corridors trying to effect an entrance to the chamber. The police were powerless to stop the mob, which seemed bent on destroying every thing in the room.

At 11:57 the excitement was intense; men were fighting in every part of the room, and several of them were bleeding from numerous wounds. The Democrats were gradually forcing King towards the speaker's desk and the Republicans were growing weaker, on account of some of them being injured. King, with his clothing torn almost from his body and his back bleeding, was pushed by main strength through the crowd and thrown heavily against the speaker's desk. He held Governor Matthews' veto in his hands, but it never reached the speaker. Just as King was about to place it in Speaker Adams' hand that official kicked and beat him back to the floor from King's hand by a man, who dashed out of the crowd with it and made good his escape. This practically ended the riot. Several small fights occurred, but the police finally succeeded in driving them out of the chamber. The trouble originated over the attempt this morning to supplant Gustavus Griffin, a Democrat, with a Republican.

Following success in driving them out of the chamber, the bill was delivered to the governor. It was his scheme to hold it to the last minute, and then the legislature could not pass it over his veto.

ORPHANS' ASSOCIATION.

The Regular Monthly Meeting Was Held Yesterday.

The Orphans' Association held its regular monthly meeting yesterday afternoon. The treasurer reported \$270.10 on hand. Mrs. Hoffman, the matron of the orphanage, reported that she has at present fourteen children in her care, all in good health.

Following were the donations reported: Milk and one roll of butter, William McIntosh; one sack potatoes, Hobbs & Parsons; clothing, unknown parties; fruit and vegetables, Mrs. Outhout; clothing, Christian Endeavor of Congregational church; clothing, Rudin & Kamp; one barrel flour, Sperry Company; bag of oranges, Mrs. J. D. Gray; Kutner collection, \$5; Central county charity ball, \$18; clothing, Mrs. D. W. Ransom.

A number of bills were ordered paid. Mrs. P. G. Berry sent in her resignation as one of the managers of the orphanage. Mrs. Paul Reuben was elected to fill the vacancy.

Mrs. J. J. Hay and C. H. Emmons were appointed the visiting committee for the next term. Next month's meeting will be held at Dr. Maupin's residence, on the corner of O and Mariposa streets.

Mrs. Bell's Sudden Death.

Mrs. Emma S. Bell, wife of T. A. Bell of this city, died suddenly about 4 o'clock yesterday afternoon. She had been ill for a few days, but her condition was not considered dangerous until a few hours before her death. She had just passed her thirty-fourth year. She was born in Stockton, but has lived in Fresno several years. The arrangements for the funeral, and the hour it will take place have not yet been announced.

GO TO THE GILT EDGE LUNCH COUNTER

BEST 15 CENT MEAL IN TOWN. GEORGE SCHORLING, Prop.

JUST RECEIVED

NEW AND STYLISH GOODS

—In the— FURNITURE

LINE AT

W. F. McVEY'S

1120, 1122 and 1124 J Street.

GRAND + GALA + DAYS

IN OUR

Millinery Department!

OPENING DAYS

Monday, March 11, Tuesday, March 12, Wednesday, March 13.

The Choicest and Newest Styles of Fine French Millinery and Imported Pattern Bonnets.

NO CARDS.

IN OUR DRESS GOODS

And SILK DEPARTMENTS

We are displaying a fine line of the latest novelties in Dress Goods and Silks in the newest effects in stripes, pin head checks, figured and plain goods, all at popular prices.

A fine assortment of Wash Dress Goods, such as Zephyrs, Gingham, Fancy Swisses, Organdies, Percales, Seersuckers, Fine White Dress Goods, Dress Ducks, Dimities, Crinkles, Etc., Etc.

IN OUR FANCY GOODS

DEPARTMENT

The most Stylish Novelties in Laces, Embroideries, Jet and Silk Dress Trimming, Kid Gloves, Hosiery, Underwear, Etc.

Particular attention is called to our Magnificent Stock of fine Lace Collars, in the new point effects.

IN OUR CLOTHING

DEPARTMENT

We are now showing a full line of the new Spring Styles of the Celebrated Stein Bloch fine tailored Clothing for Men, Boys and Children. This is the finest make of Clothing and is equal to any tailored make goods.

On account of having a resident New York buyer we are enabled to sell our goods at lower prices than any of our competitors. It will pay you to examine our stock before purchasing elsewhere.

THE KUTNER-GOLDSTEIN CO.

The Universal Providers.

300 CORDS DRY WOOD \$5,000 REWARD!

Will be given for a Safer or Better Fever Medicine than this.

NO CHILLS NO CURE NO FEVER NO PAY

AT HUDSON'S YARD, Two blocks north of Blackstone Hotel, \$4.50 per cord. Also lot of cheap lumber. No. 213 Blackstone avenue. Telephone 158.

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DR. J. C. COOPER, Dentist.

Artificial teeth crown and bridge work, porcelain teeth and all kind of fillings done as cheap as a good work can be done for.

1930 Mariposa Street, Fresno Cal

FRESNO CITY STEAM DYEING

CARPET CLEANING WORKS.

If you desire to have your garments dyed and cleaned properly and avoid misunderstanding, bring them to No. 1181 J street. Goods cleaned by latest improved methods; neatly done; satisfaction guaranteed. Orders delivered free. City and country orders solicited. 1181 J street, telephone 82.

John O. Nourse, GROCER, Sells

LIMBURGER CHEESE

1817 Mariposa St., Fresno.

THE FRESNO MORNING REPUBLICAN

Additional Local on Pages 1 and 4

SOUTHERN PACIFIC COMPANY
TRAINING LEAVE PERMITTED TO FOLLOW:
1.00 A.M.—LOS ANGELES—Fresno—Daily, For
San Francisco, Los Angeles, Sacramento, and
Oroville.
2.00 A.M.—Fresno—Daily, For Los Angeles, Sacramento, and
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99.00 A.M.—Fresno—Daily, For Los Angeles, Sacramento, and
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100.00 A.M.—Fresno—Daily, For Los Angeles, Sacramento, and
Oroville.

THE MAN ABOUT TOWN

Shooting as It is Done in Low Life.

A BRIEF SERMON IN ADVANCE

A Discourse on Names Which is Suggested by the Roll of a Fresno School.

Elen into eh'n bosoma

Come some aspirations, longin's

Foh 'doh doliab dat you use me,

An' do doliab dat, an' 'bony,

An' do doliab dat, an' 'bony,

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LANE MUST STAND TRIAL

JUDGE CARTER REFUSES TO DISMISS THE CASE.

The Opinion of the Court and the Reasons For the Ruling.

The motion of the district attorney to dismiss the information against W. G. Lane was yesterday denied by Judge Carter, who handed down a written opinion setting forth the grounds for the ruling of the court. This opinion is as follows: This is an application by the district attorney under section 1385 of the political code to dismiss the information for the reason that in his opinion sufficient evidence cannot be produced to secure a conviction.

The information charges the defendant with murder in killing of one Canfield in 1893, and upon the facts and circumstances as set forth in the indictment.

On December 1, 1893, the supreme court reversed the judgment and granted a new trial upon the sole ground that the trial court erred in admitting evidence leading to show an attempt by the defendant to kill another person at the same place and shortly after the killing of Canfield.

While the court in matters of this kind gives much weight to the advice and opinion of the district attorney, yet, in view of the fact that this matter involves the highest and gravest interests of the community, and because the responsibility rests with the court in the end, I have examined the depositions taken at the preliminary examination and the testimony given at the trial of the defendant.

I have also examined the evidence introduced upon the appeal, and with- out attempting to detail the evidence, there is, in my opinion, ample evidence, after rejecting that which the supreme court has ruled to be inadmissible, to maintain conviction for the crime of manslaughter at least, if not for a greater offense. In view of this fact, I do not feel that it is my duty to dismiss the case, as requested by the defendant.

There does not appear to have been any effort by either party to bring the matter to trial since the reversal of the judgment, and the case has remained pending in this court.

It is suggested by the district attorney that it will be impossible to procure the attendance of the witnesses; that one, I believe, is dead, and the others scattered and their whereabouts unknown. But in this I am disposed to believe that the defendant has failed to make proper use of the diligence which he is bound to exercise to secure the attendance of any one or more of the witnesses, it appears that the depositions of all the witnesses were taken at the preliminary examination, and appear to be in regular form, and the law provides for just the case that has been suggested by authorizing the use of the depositions of the witnesses in lieu of their attendance, and with this diligence, he should be able to procure the attendance of any one or more of the witnesses.

The defendant was an officer of the law at the time of the killing, and it is true, as was claimed on the former trial, that the homicide was committed in a drunken frolic, or in an unlawful attempt to use his office to give weight to his position, and that he was not guilty of murder, but that he was guilty of manslaughter.

If, on the other hand, as claimed by the defendant, it was an unlawful and unavoidable accident, or a mere mistake, the defendant is not guilty of any crime, and the case should be dismissed.

The defendant is a man of good character, and it is not my duty to condemn him without a proper verdict of a jury. If one can be obtained, then relieving his name of the odium of the charge of murder, and relieving him of the stigma of a criminal record, moving a reproach from the administration of justice.

I do not think that it will be "in furtherance of justice" at this time to dismiss the information. A trial will not result in any injustice to the defendant, and it is the duty of the court to try the case.

The motion to dismiss will, therefore, be denied at this time, and the case will be set for trial as soon as the district attorney can secure the attendance of the defendant and his attorney.

STANLEY L. CARTER, Judge.

Dated March 11, 1895.

Through a Glass Darkly.

One of the interesting side shows of the eclipse of the moon Sunday night was a young astronomer who was discovered busily at work smoking a glass through which to observe the eclipse.

The following names were transcribed in the several departments of the superior court yesterday:

J. J. Woodward vs. Fannie M. Anderson; judgment for the plaintiff; E. O. Waldron appointed commissioner, with bond at \$500.

Clara B. Perry vs. W. G. Rose; motion of the defendant to strike out certain portions of the complaint, and to amend the same; judgment for the plaintiff; E. O. Waldron appointed commissioner, with bond at \$500.

G. R. Russell vs. Nellie E. Burwell; demurrer of plaintiff to the defendant's cross-complaint sustained, and ten days given for answer.

The matter of the insolvency of A. H. Barling was continued.

W. H. Downing vs. Jay Scott as sheriff; the names of J. W. Downing and William Deegan were accepted on a claim and delivery bond.

MORRIS JUDGE CARTER, DEPARTMENT 2.

Application for the dismissal of the information for murder against W. G. Lane denied.

Application of G. Zaffetti for release on writ of habeas corpus denied.

Annie E. Linbaugh vs. N. W. Moody; demurrer overruled.

Mary A. Haber vs. Fresno Canal and Irrigation Company; demurrer to complaint overruled.

James W. Clark vs. Belle M. Dickinson; demurrer to answer sustained; one day to amend.

DEPARTMENT THREE.

W. D. Grady vs. W. W. Poole; demurrer to third amended complaint overruled.

M. Manasse vs. J. V. Rodriguez; demurrer overruled.

Arthur R. Briggs Company vs. M. T. Kearney; demurrer to answer sustained.

First National Bank of Fresno vs. J. W. Beall et al.; taken under advisement.

W. H. McKenzie vs. the Scottish Union Insurance Company; motion for a new trial denied.

Lone Star Labor Exchange.

A labor exchange numbering fifteen members was organized last Saturday evening at the Lone Star school house by W. G. Brower, who is speaking at different places in the county on the subject of the new movement, which has been called the "Lone Star Labor Exchange."

The exchange is a company of business with high money, by the exchange of the products of the labor of one class of workers for the products of the labor of another class.

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